

scribed in paragraphs 1, 2, 3, 4, and 8 of section 9 (a) [section 1941g (a) of this Appendix]. Unless the contract is disapproved by either House of the Congress by a resolution prior to the expiration of thirty days of continuous session (as defined in section 9 (c) [section 1941g (c) of this Appendix]) of the Congress following the date upon which the report is submitted to it, upon the expiration of such thirty-day period the contract shall become fully effective and the Commission shall proceed to carry it out, and transfer of possession of the facility sold shall be made as soon as practicable but in any event within thirty days after the expiration or termination of the existing lease on the Louisville plant. The failure to complete transfer of possession within thirty days after expiration or termination of the existing lease shall not give rise to or be the basis of rescission of the contract of sale. (Aug. 7, 1953, ch. 338, § 27, as added Mar. 21, 1956, ch. 89, § 1, 70 Stat. 51.)

SUBMISSION OF DISPOSAL REPORT TO ATTORNEY GENERAL

Section 2 of act Mar. 21, 1956, provided that: "Notwithstanding the provisions of section 3 (d) of the Rubber Producing Facilities Disposal Act of 1953 [section 1941a (d) of this Appendix], the Rubber Producing Facilities Disposal Commission (hereinafter referred to as the 'Commission'), before submission to the Congress of its report relative to the Louisville plant shall submit it to the Attorney General, who shall, within seven days after receiving the report, advise the Commission whether, in his opinion, the proposed disposition, if carried out, will violate the antitrust laws."

LEASE; TRANSMITTAL TO ATTORNEY GENERAL; CONGRESSIONAL REVIEW

Section 4 of act Mar. 21, 1956, provided that:

"(a) Notwithstanding the provisions of section 9 (d) [section 1941g (d) of this Appendix] and notwithstanding the period of lease limitation in section 9 (f) [section 1941g (f) of this Appendix] of the Rubber Producing Facilities Disposal Act of 1953, the Commission or its successor may, provided the period for receipt of proposals for the purchase of the Louisville plant has expired as provided in section 27 (a) of that Act [subsection (a) of this section] and no proposal or contract for the purchase of the Louisville plant is then pending or in effect, extend the existing lease or enter into a new lease on the Louisville plant for a term of not less than five years nor more than fifteen years from the date of termination of said existing lease.

"(b) Notwithstanding the provisions of sections 8 (a) (3) and 9 (f) of the Rubber Producing Facilities Disposal Act of 1953 [sections 1941f (a) (3) and 1941g (f) of this Appendix] relating to the period for review by the Attorney General, the Commission, before submission to the Congress of a lease or lease extension relative to the Louisville plant, shall submit it to the Attorney General, who shall, within seven days after receiving the lease or lease extension, advise the Commission whether the proposed lease or lease extension would tend to create or maintain a situation inconsistent with the antitrust laws.

"(c) Within ten days after the termination of the lease negotiations authorized in subsection (a) of this section, or, if Congress is not then in session, within ten days after Congress next convenes, the Commission shall report to the Congress the lease or lease extension negotiated pursuant to this section. The Commission shall submit at the same time the statement of the Attorney General approving the proposed lease or lease extension in accordance with the standard set forth in subsection (b) of this section, and the names of the persons who have represented the Government or lessee in conducting negotiations for the lease or lease extension on the Louisville plant. Unless the lease or lease extension is disapproved by either House of the Congress by resolution prior to the expiration of thirty days of continuous session (as defined in section 9 (c) of the Rubber Producing Facilities Disposal Act of 1953 [section 1941g (c) of this Appendix]) of

the Congress following the date upon which the lease or lease extension is submitted to it, upon the expiration of such thirty-day period the lease or lease extension shall become fully effective and the Commission shall proceed to carry it out in accordance with its terms."

DISPOSAL CRITERIA

Section 5 of act Mar. 21, 1956, provided that: "Except as otherwise provided in this Act [this section], the disposal or lease of the Louisville plant shall be fully subject to all the provisions of the Rubber Producing Facilities Disposal Act of 1953 [sections 1941—1941x of this Appendix] and such criteria as have been established by the Commission in handling disposal of other Government-owned rubber producing facilities under that Act [sections 1941—1941x of this Appendix]: *Provided*, That the provisions of sections 7 (j), 7 (k), 10, 15 and 24 of that Act [sections 1941e (j), 1941e (k), 1941h (d), 1941m and 1941v of this Appendix] shall not apply to the disposal or lease of the Louisville plant."

DISPLACED PERSONS, REFUGEES AND ORPHANS

ADMISSION OF DISPLACED PERSONS

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ADMISSION OF REFUGEES AND ORPHANS

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Sec.

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- 1971o. Eligible aliens as nonquota immigrants.
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**ADMISSION OF ORPHANS ADOPTED BY CITIZENS
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1975. Special nonquota immigrant visas for certain orphans; number.
- 1975a. Definition.
- 1975b. Rights of natural parents under Immigration and Nationality Act.
- 1975c. Eligible orphans as nonquota immigrants.

CROSS REFERENCES

Immigration and nationality, see chapter 12 of Title 8, Aliens and Nationality.

ADMISSION OF DISPLACED PERSONS

§ 1951. Definitions.

When used in this Act [sections 1951—1956 and 1958—1965 of this Appendix] the term—

(a) "Commission" means the Displaced Persons Commission created pursuant to this Act [said sections];

(b) "Displaced person" means any displaced person or refugee as defined in Annex I of the Constitution of the International Refugee Organization and who is the concern of the International Refugee Organization.

(c) "Eligible displaced person" means a displaced person as defined in subsection (b) of this section (1) who on or after September 1, 1939, and on or before January 1, 1949, entered Germany, Austria, or Italy, and who on January 1, 1949, was in Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna, or in the American zone, the British zone, or the French zone of either Germany or Austria, or who had temporarily absented himself therefrom for reasons which, in accordance with regulations to be promulgated by the Commission, show special circumstances justifying such absence, and who has not been firmly resettled; or a person who, having resided in Germany or Austria, was a victim of persecution by the Nazi government and was detained in, or was obliged to flee from such persecution and subsequently returned to, one of these countries, and who has not been firmly resettled; and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence; and (3) for whom assurances in accordance with the regulations of the Commission have been given by a citizen or citizens of the United

States that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have housing without displacing some other person from such housing. The spouse and unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren of such an eligible displaced person, shall, if otherwise qualified for admission into the United States for permanent residence, also be deemed eligible displaced persons.

(d) "Eligible displaced person" shall also mean a person displaced from the country of his birth, or nationality, or of his last residence since January 1, 1946, who fled into Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna, or the American zone, the British zone, or the French zone of either Germany or Austria; and cannot return to any of such countries because of persecution or fear of persecution on account of race, religion, or political opinions; and (1) whose admission into the United States for permanent residence is recommended by or on behalf of the Secretary of State and the Secretary of Defense, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence; and (3) for whom assurances in accordance with the regulations of the Commission have been given by a citizen or citizens of the United States that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who proposed to live with such person, shall not become public charges and will have housing without displacing some other person from such housing. The spouse and unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren of such an eligible displaced person, shall, if otherwise qualified for admission into the United States for permanent residence, also be deemed eligible displaced persons: *Provided*, That a number of immigration visas not to exceed five hundred may be issued within the total numerical limitations provided by section 3 (a) of this Act, as amended [section 1952 (a) of this Appendix], to eligible displaced persons as defined in this subsection.

(e) "Eligible displaced orphan" means a displaced person (1) who was sixteen years of age or under on June 25, 1948, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) who is an orphan because of the death or disappearance of both parents, or who has been abandoned, or deserted by, or separated, or lost from both parents, or who has only one parent due to the death or disappearance of his other parent and the remaining parent is incapable of providing care for such displaced person and agrees to release him for emigration or adoption or guardianship and (4) who on or before the effective date of this Act, as

amended [sections 1951—1956 and 1958—1965 of this Appendix], was in Italy or in the American sector or the British sector or the French sector of either Berlin or Vienna or the American zone or the British zone or the French zone of either Germany or Austria, and (5) for whom satisfactory assurances in accordance with the regulations of the Commission have been given by a citizen or citizens of the United States that such person, if admitted into the United States will be cared for properly; an "eligible displaced orphan" also means a person who is a native of Greece who on or after January 1, 1940, and on or before January 1, 1949, was forcibly removed or forced to flee from his former habitual residence in Greece as a direct result of military operations in Greece by the Nazi government or by military operations in Greece by the Communist guerrillas, and on January 1, 1950, resided in Greece and meets the qualifications of subdivisions (1)—(3), and (5) of this subsection.

(f) A special nonquota immigration visa may be issued to any alien who—

(1) prior to June 30, 1950, was a resident of Germany, Luxemburg, Austria, Italy, the United States-United Kingdom zone of the Free Territory of Trieste, the United Kingdom, Ireland, Portugal, France, Switzerland, Belgium, the Netherlands, Norway, Sweden, Denmark, Finland, Greece, Turkey;

(2) is an orphan because of the death or disappearance of both parents, or because of abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such orphan and agrees to release him for emigration and adoption or guardianship;

(3) has assurances submitted in his behalf for admission to the United States for permanent residence with a father or mother by adoption, or for permanent residence with a near relative or with a person who is a citizen of the United States or an alien admitted to the United States for permanent residence, or is seeking to enter the United States to come to a public or private agency approved by the Commission, and such relative, person, or agency gives assurances, satisfactory to the Commission, that adoption or guardianship proceedings will be initiated with respect to such alien;

(4) for whom satisfactory assurances in accordance with the regulations of the Commission have been given that such alien, if admitted into the United States, will be cared for properly; and

(5) is, at the time of issuance of a visa, under the age of ten years. Not to exceed five thousand such special nonquota immigration visas shall be issued until July 1, 1952, under the authority of this subsection, which number shall be in addition to the numbers authorized in section 3(a) of this Act, as amended [section 1952(a) of this Appendix].

(g) An eligible displaced person shall also mean a person who was a resident of Venezia Giulia prior

to May 6, 1945, and who on or after May 6, 1945, departed from those parts of Venezia Giulia placed under Yugoslav sovereignty or administration under the terms of the treaty of peace with Italy signed at Paris on February 10, 1947, and who on the effective date of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], is not "de jure" an Italian citizen, and who on July 1, 1947, was in Italy, or in the United States-United Kingdom zone of the Free Territory of Trieste or in the American sector, the British sector, or the French sector of either Berlin or Vienna, or in the American zone, the British zone, or the French zone of either Germany or Austria; and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence; and (3) for whom assurances in accordance with the regulations of the Commission have been given by a citizen or citizens of the United States that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have housing without displacing some other person from such housing. The spouse and unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren of such an eligible displaced person, shall, if otherwise qualified for admission into the United States for permanent residence, also be deemed eligible displaced persons: *Provided*, That a number of immigration visas not to exceed two thousand may be issued within the total numerical limitations provided by section 3 (a) of this Act, as amended [section 1952 (a) of this Appendix], to eligible displaced persons as defined in this subsection. (June 25, 1948, ch. 647, § 2, 62 Stat. 1009; June 16, 1950, ch. 262, §§ 1—3, 64 Stat. 219; June 28, 1951, ch. 167, § 2, 65 Stat. 96.)

REFERENCES IN TEXT

Treaty of peace with Italy signed at Paris on February 10, 1947, referred to in subsec. (g), is set out in 61 Stat. 1245—1755. See Termination of State of War notes preceding section 1 of this Appendix.

AMENDMENTS

1951—Subsec. (f) (3) amended by act June 28, 1951 to strike out "prior to June 30, 1951" preceding "has assurances submitted".

1950—Subsec. (c) amended by act June 10, 1950, § 1, which among other changes advanced the cut-off date for eligibility from Dec. 22, 1945 to Jan. 1, 1949, and provided that assurances for employment and housing may be submitted only by citizens of the United States.

Subsec. (d) amended by act June 16, 1950, § 2, to admit to this country upon the recommendations of the Secretaries of State and Defense up to 500 anti-Communists who fled this country since Jan. 1, 1946.

Subsec. (e) amended by act June 16, 1950, § 3, to enlarge the definition of "eligible displaced orphan."

Subsecs. (f) and (g) added by act June 16, 1950, § 3.

SHORT TITLE

Section 1 of act June 25, 1948, provided that act June 25, 1948, which enacted sections 1951—1956 and 1958—1965 of this Appendix, should be popularly known as the "Displaced Persons Act of 1948."

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated Aug. 31, 1952, under the provisions of former section 1957 of

this Appendix. Provision was made for the Liquidation of the affairs of the Commission in Ex. Ord. No. 10382, Aug 11, 1952, 17 F. R. 7323, set out as a note under former section 1957 of this Appendix.

§ 1952. Immigration visas.

(a) Effective period; number issued.

I. During the three and one-half fiscal years beginning July 1, 1948, and ending December 31, 1951, eligible displaced persons and persons defined in subdivisions (2)—(4) of subsection (b) of this section seeking to enter the United States as immigrants, and

II. During the four fiscal years beginning July 1, 1948, and ending June 30, 1952, eligible displaced orphans seeking to enter the United States as immigrants, may be issued immigration visas without regard to quota limitations for those years as provided by subsection (c) of this section: *Provided*, That not more than three hundred and forty-one thousand such visas shall be issued under this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], including such visas heretofore issued under the Displaced Persons Act of 1948 [sections 1951—1956 and 1958—1962 of this Appendix]: *Provided further*, That no such immigration visa shall be issued to eligible displaced persons unless the Commission initiated the selection or processing of such persons on or before July 31, 1951; and it shall be the duty of the Secretary of State to procure the cooperation of other nations, particularly the members of the International Refugee Organization, in the solution of the displaced persons problem by their accepting for resettlement a relative number of displaced persons, and to expedite the closing of the camps and terminate the emergency.

(b) Special nonquota immigration visas.

(1) A number of special nonquota immigration visas not to exceed five thousand may be issued within the total numerical limitations provided by subsection (a) of this section to eligible displaced orphans.

(2) A number of immigration visas not to exceed four thousand may be issued within the total numerical limitations provided by subsection (a) of this section to displaced persons or refugees as defined in annex I (except paragraph 1 (b) of section A of part I thereof) of the constitution of the International Refugee Organization who (1) resided in China, as displaced persons, or refugees, on July 1, 1948, or on the effective date of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], and (2) are qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) are still in China or, having left China, have not subsequently been received for permanent residence by any country other than the United States.

(3) A number of immigration visas not to exceed eighteen thousand may be issued within the total numerical limitations provided by subsection (a) of this section to persons who (1) during World War II were members of the armed forces of the Republic of Poland, (2) were honorably discharged from such forces, (3) reside in the British Isles upon the effective date of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], but have not

been either firmly settled or resettled, and (4) have registered for an immigration visa with a United States consular officer in Great Britain prior to the effective date of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix]: *Provided*, That they meet all requirements of the immigration laws of the United States for admission into the United States for permanent residence.

(4) A number of immigration visas not to exceed seven thousand five hundred may be issued within the total numerical limitations provided in subsection (a) of this section to persons who are natives of Greece and who on or after January 1, 1940, and on or before January 1, 1949, were forcibly removed or forced to flee from their former habitual residence in Greece as a direct result of military operations in Greece by the Nazi government or by military operations in Greece by the Communist guerrillas, and prior to January 1, 1950, had not been either firmly settled or firmly resettled, and are qualified under the immigration laws of the United States for admission into the United States for permanent residence; and a number of immigration visas not to exceed two thousand five hundred may be issued within the total numerical limitations provided in subsection (a) of this section to persons who prior to June 30, 1950, were residents and nationals of Greece, who are eligible for admission to the United States as first or second preference quota immigrants, and who prior to June 30, 1951, make application to an American consular officer in Greece for appropriate visas to the United States for permanent residence.

(5) In lieu of affidavits of support or other evidence of support, a person authorized to be admitted under subdivisions (2)—(4) of this subsection may submit to the consuls assurances by a citizen or citizens of the United States, in accordance with the regulations of the Department of State, that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person and the members of such person's family who shall accompany such person or who propose to live with such person shall not become public charges and will have housing without displacing some other person from such housing. The spouse and unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren of persons defined in subdivisions (2)—(4) of this subsection, shall, if otherwise qualified for admission into the United States for permanent residence, also be granted immigration visas within the numerical limitations set forth in the respective subdivisions. Those provisions of section 5 of this Act [section 1954 of this Appendix] which relate to the contract-labor clause of the immigration laws and to the payment of ticket or passage shall be applicable to persons whose admission is authorized under the provisions of this section.

(c) Quota numbers.

Upon the issuance of an immigration visa to any alien as provided for in this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], except to eligible displaced orphans, and except to aliens defined in sections 2 (f) and 12 of this Act, as

amended [sections 1951 (f) and 1961 of this Appendix], the consular officer shall use a quota number from the annual quota to which an immigrant is chargeable as provided in section 1152 of Title 8, for the fiscal year then current at the time or, if no such quota number is available for said fiscal year, in that event for the first succeeding fiscal year in which a quota number is available: *Provided*, That not more than 25 per centum of any quota shall be so used in any fiscal year beginning July 1, 1950, and ending June 30, 1954; and that not more than 50 per centum of any quota shall be so used in any fiscal year beginning July 1, 1954: *Provided further*, That during the fiscal years beginning July 1, 1950, and ending June 30, 1954, 50 per centum of the nonpreference portion of the immigration quotas as provided in section 1153 (a) (4) of Title 8, shall be available to applicants for immigration visas who are otherwise qualified for admission into the United States for permanent residence, and who (1) on or after September 1, 1939, and before January 1, 1949, entered an area or country in Europe outside Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna, or the American zone, the British zone, or the French zone of either Germany or Austria: *Provided further*, That for the purposes of this section the quotas referred to shall be computed on an annual rather than a monthly basis: *Provided further*, That any person who is an applicant for admission pursuant to this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], and for whom assurances have been given by a citizen or citizens of the United States, that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, with the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have housing without displacing some other person from such housing, shall not be required to furnish any affidavit or other evidence of support pursuant to the regulations (22 C. F. R. 42.327) promulgated under authority of section 7 (b) of the Immigration Act of May 26, 1924, or any other law or regulation; (2) establish that they are persons of European national origin displaced from the country of their birth, or nationality, or of their last residence, as a result of events subsequent to the outbreak of World War II; (3) that they cannot return to any of such countries because of persecution or fear of persecution on account of race, religion, or political opinions; and (4) that they have not been firmly resettled in any other country. The spouse and the unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren of persons who establish their eligibility for immigration into the United States under this proviso, shall also be granted such eligibility if otherwise qualified for admission into the United States for permanent residence.

(d) Selection of immigrants without discrimination.

The selection of eligible displaced persons shall be made without discrimination in favor of or against a race, religion, or national origin of such eligible

displaced persons, and the Commission shall insure that equitable opportunity for resettlement under the terms of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], shall be afforded to eligible displaced persons of all races, religions, and national origins. The extent to which the Commission has accomplished the foregoing objective shall be specifically indicated in the semi-annual reports of the Commission filed pursuant to section 8 of this Act [former section 1957 of this Appendix]. (June 25, 1948, ch. 647, § 3, 62 Stat. 1010; June 16, 1950, ch. 262, § 4, 64 Stat. 221; June 28, 1951, ch. 167, § 1, 65 Stat. 90; June 27, 1952, ch. 477, title IV, § 402 (h) (1), (2), 66 Stat. 277.)

REFERENCES IN TEXT

Section 7 (b) of the Immigration Act of May 26, 1924, referred to in subsec. (c) and formerly classified to section 207 (b) of Title 8, Aliens and Nationality, was repealed by act June 27, 1952, ch. 477, title IV, § 403 (a) (23), 66 Stat. 279 and is now covered by subchapter II of chapter 12 of Title 8.

AMENDMENTS

1952—Subsec. (c) amended by act June 27, 1952, which substituted "from the annual quota * * * in section 1152 of Title 8" for "from the immigration quota for the country of the alien's nationality as defined in section 212 of Title 8", in the first sentence and "as provided in section 1153(a) (4) of Title 8" for "as defined in section 206 of Title 8" in the second proviso.

1951—Subsec. (a) amended by act June 28, 1951, to extend section for six months until Dec. 31, 1951, to provide that no immigration visas shall be issued unless the Commission initiated the selection or processing of persons on or before July 1, 1951, and to extend for one year the operative effect of section with respect to certain orphans.

1950—Act June 16, 1950, amended section generally to increase the effective period of the section until July 1, 1951, and to provide for the increased number of displaced persons to be admitted without reference to immigration quotas.

TERMINATION OF QUOTA DEDUCTIONS

Quota deductions authorized by sections 1951—1956 and 1958—1965 of this Appendix terminated effectively July 1, 1957, see note under section 1151 of Title 8, Aliens and Nationality.

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated August 31, 1952, under the provisions of former section 1947 of this Appendix. Provision was made for the liquidation of the affairs of said Commission in Ex. Ord. No. 10382, Aug. 11, 1952, 17 F.R. 7323, set out as a note under former section 1947 of this Appendix.

§ 1953. Adjustment of immigration status of aliens entering prior to April 30, 1949; action of Attorney General and Congress; fees; deportation; deductions from quota.

(a) Any alien who (1) entered the United States prior to April 30, 1949, and was on that date in the United States, or if he was temporarily absent from the United States on that date for reasons which, in accordance with regulations to be promulgated by the Attorney General, show special circumstances justifying such absence, and (2) is otherwise admissible under the immigration laws, and (3) is a displaced person residing in the United States as defined in this section may, within two years next following the effective date of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], apply to the Attorney General for an adjustment of his immigration status. If the Attorney General

shall, upon consideration of all the facts and circumstances of the case, determine that such alien has been of good moral character for the preceding five years and that such alien is qualified under the provisions of this section, the Attorney General shall report to the Congress all of the pertinent facts in the case. If during the session of the Congress at which a case is reported, or prior to the end of the session of the Congress next following the session at which a case is reported, the Congress passes a concurrent resolution stating in substance that it favors the granting of the status of permanent residence to such alien the Attorney General is authorized, upon receipt of a fee of \$18, which shall be deposited in the Treasury of the United States to the account of miscellaneous receipts, to record the admission of the alien for permanent residence as of the date of the alien's last entry into the United States. If prior to the end of the session of the Congress next following the session at which a case is reported, the Congress does not pass such resolution, the Attorney General shall thereupon deport such alien in the manner provided by law: *Provided*, That the number of displaced persons who shall be granted the status of permanent residence pursuant to this section shall not exceed fifteen thousand. Upon the grant of status of permanent residence to such alien as provided for in this section, the Secretary of State shall, if the alien was a quota immigrant at the time of entry, reduce by one the annual quota to which an immigrant is chargeable as provided in section 1152 of Title 8, for the fiscal year then current or the next succeeding fiscal year in which a quota number is available, except that quota deductions provided for in this section shall be made within the limitations contained in the first proviso of subsection (c) of section 3 of the Displaced Persons Act of 1948, as amended [section 1952 (c) of this Appendix].

(b) When used in this section the term "Displaced Person residing in the United States" means a person who establishes that he lawfully entered the United States as a non-immigrant under section 3 or as a nonquota immigrant student under subdivision (e) of Section 4 of the Immigration Act of May 26, 1924, as amended, and that he is a person displaced from the country of his birth, or nationality, or of his last residence as a result of events subsequent to the outbreak of World War II; and that he cannot return to any of such countries because of persecution or fear of persecution on account of race, religion or political opinions. (June 25, 1948, ch. 647, § 4, 62 Stat. 1011; June 16, 1950, ch. 262, § 5, 64 Stat. 224; June 27, 1952, ch. 477, title IV, § 402 (h) (3), 66 Stat. 277.)

REFERENCES IN TEXT

Section 3 and subdivision (e) of section 4 of the Immigration Act of May 26, 1924, as amended, referred to in subsec. (b) and formerly classified to section 203 and subdivision (e) of section 204 of Title 8, Aliens and Nationality, were repealed by act June 27, 1952, ch. 477, title IV, § 403(a)(23), 66 Stat. 279 and are now covered by subchapter II of chapter 12 of Title 8.

AMENDMENTS

1952—Subsec. (a) amended by act June 27, 1952, which substituted "the annual quota * * * in section 1152 of Title 8" for "the immigration quota of the country

of the alien's nationality as defined in section 212 of Title 8".

1950—Subsec. (a) amended by act June 16, 1950, to change the cut-off date from Apr. 1, 1948, to Apr. 30, 1949, and to allow for necessary absence from this country on that date.

§ 1954. Determination of quota nationality.

The quota to which an alien is chargeable for the purposes of this Act [sections 1951—1956 and 1958—1965 of this Appendix] shall be determined in accordance with the provisions of section 202 of the Immigration and Nationality Act [section 1152 of Title 8] and no eligible displaced person shall be issued an immigrant visa if he is known or believed by the consular officer to be subject to exclusion from the United States under any provision of the immigration laws, with the exception of section 212 (a) (14) of the Immigration and Nationality Act [section 1182 (a) (14) of Title 8]; and all eligible displaced persons, eligible displaced orphans and orphans under section 2 (f) [section 1951 (f) of this Appendix] shall be exempt from paying visa fees and head taxes. (June 25, 1948, ch. 647, § 5, 62 Stat. 1011; June 28, 1951, ch. 167, § 3, 65 Stat. 96; June 27, 1952, ch. 477, title IV, § 402 (h) (4), 66 Stat. 277.)

AMENDMENTS

1952—Act June 27, 1952, amended section to change references to refer to the new Immigration and Nationality Act.

1951—Act June 28, 1951, amended section by making it applicable to orphans under section 1951 (f) of this title.

§ 1955. Preferences and priorities; "good faith" oath.

The preferences provided within the quotas by section 203 of the Immigration and Nationality Act [section 1153 of Title 8], shall not be applicable in the case of any person receiving an immigration visa under this Act [sections 1951—1956 and 1958—1965 of this Appendix], except as otherwise herein specifically provided but in lieu of such preferences the following preferences, without priority in time of issuance of visas as between such preferences or as between preference or nonpreference cases under this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], shall be granted to persons and their family dependents who are the spouse or the unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren of such persons, in the consideration of visa applications:

(a) First. Persons who are farm, household, construction, clothing, and garment workers, and other workers needed in the locality in the United States in which such persons propose to reside, or persons possessing special educational, scientific, technological, or professional qualifications.

(b) Second. Persons who are the blood relatives of citizens or lawfully admitted alien residents of the United States, such relationship in either case being within the third degree of consanguinity computed according to the rules of the common law.

No visa shall be issued to any alien whose admission under this Act [sections 1951—1956 and 1958—1965 of this Appendix] is based on the submission of an assurance of suitable employment unless he shall first execute a signed statement under oath or affirmation that he accepts and agrees in good faith to

abide by the terms of employment provided for such person in the assurance upon which his application for a visa under this Act [said sections] is based. The Commission is authorized and empowered to administer an oath or take an affirmation for this purpose and to designate employees who shall have power to administer such oath or affirmation: *Provided*, That upon a finding by the Attorney General that such statement was falsely made it shall be deemed to be a misrepresentation for the purpose of gaining admission into the United States as provided for in section 10 of the Displaced Persons Act of 1948, as amended [section 1959 of this Appendix]: *Provided further*, That in determining whether or not the person accepted and agreed in good faith to abide by the said terms of employment the Attorney General shall consider the manner, conditions, extent, and duration of the person's employment after admission into the United States. Such alien and any alien found to have been inadmissible under the provisions of this Act [sections 1951—1956 and 1958—1965 of this Appendix] at the time of entry shall, irrespective of the date of his entry, be taken into custody and deported in the manner provided by sections 241, 242, and 243 of the Immigration and Nationality Act [sections 1251—1253 of Title 8]. (June 25, 1948, ch. 647, § 6, 62 Stat. 1012; June 16, 1950, ch. 262, § 6, 64 Stat. 224; June 27, 1952, ch. 477, title IV, § 402 (h) (5), 66 Stat. 277.)

AMENDMENTS

1952—Act June 27, 1952, amended section to change references to refer to the new Immigration and Nationality Act.

1950—Act June 16, 1950, amended section generally to provide that an alien must sign a "good faith" oath respecting employment.

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated August 31, 1952 under the provisions of former section 1947 of this Appendix. Provision was made for the liquidation of the affairs of said Commission in Ex. Ord. No. 10382, Aug. 11, 1952, 17 F. R. 7323, set out as a note under former section 1947 of this Appendix.

§ 1956. Same; persons bearing arms against enemies of United States; service in labor service or guard units of United States Army.

Within the preferences provided in section 6 [section 1955 of this Appendix], priority in the issuance of visas shall be given to eligible displaced persons who during World War II bore arms against the enemies of the United States or who served honorably in the labor service or guard units of the United States Army, and their family dependents who are the spouse or the unmarried dependent child or children under twenty-one years of age, including adopted children and stepchildren. (June 25, 1948, ch. 647, § 7, 62 Stat. 1012; June 16, 1950, ch. 262, § 7, 64 Stat. 225.)

AMENDMENTS

1950—Act June 16, 1950, amended section to provide credit for service in labor service or guard units of the United States Army.

§ 1957. Displaced Persons Commission; creation; composition; compensation; appropriations; employment of personnel; rules and regulations; reports to Congress.

CODIFICATION

Section, acts June 25, 1948, ch. 647, § 8, 62 Stat. 1012; Oct. 15, 1949, ch. 695, § 6 (a), 63 Stat. 881; June 16, 1950,

ch. 262, § 8, 64 Stat. 225, created a Displaced Persons Commission of three members appointed for a term ending August 31, 1952 and provided for appropriations, employment of personnel, issuance of rules and regulations and reports to the President and the Congress, including a final report at the end of the Commission's term.

EX. ORD. NO. 10382. LIQUIDATION OF THE AFFAIRS OF THE DISPLACED PERSONS COMMISSION

Ex. Ord. No. 10382, Aug. 11, 1952, 17 F. R. 7323, provided: By virtue of the authority vested in me as President of the United States, and for the purpose of accomplishing the liquidation of the outstanding affairs of the Displaced Persons Commission after the termination of the Commission, as provided by law, on August 31, 1952, it is ordered as follows:

1. The Secretary of State shall make appropriate provision, effective September 1, 1952, for the taking of possession by the Department of State of any remaining records and property of the Commission and for the designation of officials of the Department of State who shall certify any vouchers which are payable from funds of the Commission and which may require certification after August 31, 1952.

2. When no longer needed for carrying out the provisions of this order, the said remaining records and property of the Commission shall be disposed of in accordance with applicable laws and regulations.

§ 1958. Reporting to Commission by admitted persons; number and frequency; contents of report; exceptions; penalties.

Every eligible displaced person, except an eligible displaced person who shall have derived his status because of being the spouse or an unmarried dependent child under twenty-one years of age of an eligible displaced person, who shall be admitted into the United States shall report, on the 1st day of January and on the 1st day of July of each year until he shall have made four reports to the Commission, respecting the employment, place of employment, and residence of such person and the members of such person's family and shall furnish such other information in connection with said employment and residence as the Commission shall by regulation prescribe: *Provided*, That if such person enters the United States within sixty days prior to either the 1st day of January or the 1st day of July, the first report need not be made until the next date on which a report is required to be made. Such report shall be made to the Commission during its term and thereafter to the Attorney General. Any person who willfully violates the provisions of this section shall, upon conviction thereof, be fined not to exceed \$500, or be imprisoned not more than six months. (June 25, 1948, ch. 647, § 9, 62 Stat. 1013.)

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated August 31, 1952, under the provisions of former section 1947 of this Appendix. Provision was made for the liquidation of the affairs of said Commission in Ex. Ord. No. 10382, Aug. 11, 1952, 17 F. R. 7323, set out as a note under former section 1947 of this Appendix.

§ 1959. Investigation and report on all persons prior to admittance; effect of misrepresentation; administration; laws applicable.

No eligible displaced person shall be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such agency of the Government of the United States as the President shall designate, regarding such person's character, history, and eligibility under this Act [sections 1951—1956 and

1958—1965 of this Appendix]. The burden of proof shall be upon the person who seeks to establish his eligibility under this Act [said sections], and no person shall be certified by the Commission as eligible under this Act [said sections] if the Commission knows or has reason to believe that the alien (1) is not a displaced person and an eligible displaced person, or (2) is not eligible under the terms of this Act [said sections]; and no person shall be issued an immigration visa or be admitted into the United States under this Act [said sections] if the consular officer or the immigrant inspector knows or has reason to believe that the alien is subject to exclusion from the United States under any provision of the immigration laws or (1) is not a displaced person and an eligible displaced person, or (2) is not eligible under the terms of this Act [said sections]: *Provided*, That nothing in this section shall remove the right of review and appeal available to aliens under general immigration laws. Any person who shall willfully make a misrepresentation for the purpose of gaining admission into the United States as an eligible displaced person shall thereafter not be admissible into the United States. No eligible displaced orphan or eligible displaced person shall be admitted into the United States under the provisions of this Act [sections 1951—1956 and 1958—1965 of this Appendix] except in pursuance of the regulations of the Commission, but, except as otherwise expressly provided in this Act [said sections], the administration of this Act [said sections], under the provisions of this Act [said sections] and the regulations of the Commission as herein provided, shall be by the officials who administer the other immigration laws of the United States. Except as otherwise authorized in this act [said sections], all immigration laws, including deportation laws, shall be applicable to eligible displaced orphans and eligible displaced persons who apply to be or who are admitted into the United States pursuant to this Act [said sections]. (June 25, 1948, ch. 647, § 10, 62 Stat. 1013; June 16, 1950, ch. 262, § 9, 64 Stat. 225.)

AMENDMENTS

1950—Act June 16, 1950, amended section to give the Foreign Service and the Immigration and Naturalization Service veto power on all questions of eligibility.

EXECUTIVE ORDER NO. 10131. INVESTIGATION OF AND REPORT ON DISPLACED PERSONS AND PERSONS OF GERMAN ETHNIC ORIGIN SEEKING ADMISSION INTO THE UNITED STATES

Ex. Ord. No. 10131, June 16, 1950, 15 F. R. 3859, provided:

By virtue of the authority vested in me by section 10 of the Displaced Persons Act of 1948, approved June 25, 1948 (62 Stat. 1009) [this section], as amended and extended by Public Law 555, 81st Congress, Second Session, approved June 16, 1950, and as President of the United States, it is ordered as follows:

1. The Displaced Persons Commission is hereby designated as the agency which shall, subject to the provisions of paragraph 2 hereof, make or prepare the investigations and written reports required by sections 10 and 12 of the Displaced Persons Act of 1948 [this section and section 1961 of this Appendix], as amended, regarding the character, history, and eligibility under the said Act [sections 1951—1956, former section 1957 and sections 1958—1965 of this Appendix] of eligible displaced persons and persons of German ethnic origin seeking admission into the United States.

2. The Department of State, the Department of the Army, and such other agencies of the Government as the Displaced Persons Commission may request, shall, in

accordance with arrangements agreed upon between the Commission and any such department or agency, furnish the Commission such assistance as it may need in carrying out its responsibilities under paragraph 1 of this order.

3. This order shall take effect immediately and shall supersede Executive Order No. 10003 of October 4, 1948, entitled "Providing for the Investigation of and Report on Displaced Persons Seeking Admission into the United States".

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated August 31, 1952, under the provisions of former section 1947 of this Appendix. Provision was made for the liquidation of the affairs of said Commission in Ex. Ord. No. 10382, Aug. 11, 1952, 17 F. R. 7323, set out as a note under former section 1947 of this Appendix.

§ 1960. Preference or priority for visas under other laws.

After June 30, 1948, no preference or priority shall be given to any person because of his status as a displaced person, or his status as an eligible displaced person, in the issuance of visas under the other immigration laws of the United States. (June 25, 1948, ch. 647, § 11, 62 Stat. 1013.)

§ 1961. Admission of persons of German ethnic origin.

(a) Number; conditions; exemption from fees.

Notwithstanding the provisions of section 202 of the Immigration and Nationality Act [section 1152 of Title 8], until July 1, 1952, a number of immigration visas not to exceed fifty-four thousand seven hundred and forty-four may be issued to persons of German ethnic origin who were born in Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, Russia, or Yugoslavia, or areas under the control and domination of any such countries, except those parts of Germany and Austria under military occupation by the Union of Soviet Socialist Republics, and who on January 1, 1949, resided in the western zones of Germany or Austria or western sectors of Berlin or Vienna. Assurances shall be executed by a citizen or citizens of the United States in accordance with regulations of the Commission that persons eligible under this section, if admitted into the United States, will be suitably employed without displacing some other person from employment and that any such person and the members of his family who propose to live with him shall not become public charges, and will have housing without displacing some other person from such housing. The spouse and unmarried child or children under twenty-one years of age, including adopted children and stepchildren, of any person eligible under this section shall, if otherwise qualified for admission into the United States for permanent residence, also be eligible under the provisions of this section. All persons qualifying for admission under this section shall be exempt from paying visa and head taxes, and no such person shall be admitted into the United States unless there shall have been first a thorough examination and written report as provided for in section 10 of the Displaced Persons Act of 1948, as amended [section 1959 of this Appendix].

(b) Quota numbers.

Upon the issuance of an immigration visa under subsection (a) above, which shall be in addition to the numbers authorized in section 3 (a) of the Dis-

placed Persons Act of 1948, as amended [section 1952 (a) of this Appendix], the consular officer shall use, notwithstanding the provisions of section 201 of the Immigration and Nationality Act [section 1151 of Title 8], a quota number from that portion of the quotas for Germany and Austria for the fiscal years ending June 30, 1949, and June 30, 1950, which was made available to persons of German ethnic origin under the provisions of section 12 of Public Law 774, Eightieth Congress [section 1961 of this Appendix], except that the total of such quota numbers shall not exceed by seven thousand the quota numbers used under the authority of the said section prior to June 30, 1950; and if no such quota number is available in that event the consular officer shall use a quota number from the annual quota to which the person who receives the visa is chargeable as provided in section 202 of the Immigration and Nationality Act [section 1152 of Title 8]: *Provided*, That not more than 50 per centum of the quotas of the country of nationality of persons who receive immigration visas under this section shall be used in any fiscal year, and quota deductions authorized under this proviso shall be made within the limitations contained in the first proviso of subsection (c) of section 3 of the Displaced Persons Act of 1948, as amended [section 1952 (c) of this Appendix].

(c) Preferences and priorities.

Notwithstanding the preferences provided by section 6 of this Act, as amended [section 1955 of this Appendix], first priority in the issuance of visas chargeable to the German or Austrian quota under the provisions of section 12 of the Act of May 26, 1924, as amended, or under the provisions of this section, shall be granted to children who were sixteen years of age or under on June 25, 1948, and who prior to May 1, 1949, were legally adopted under the laws of the country in which they resided, by American citizens residing abroad temporarily. Those provisions of section 5 of this Act [section 1954 of this Appendix] which relate to section 212 (a) (14) of the Immigration and Nationality Act [section 1182 (a) (14) of Title 8] shall be applicable to persons whose admission is authorized under the provisions of this section.

(d) Transportation; loan by R. F. C.

The Commission shall make the necessary arrangements incident to the transfer of persons eligible for emigration to the United States under this section from their place of residence in Germany or Austria to the port of embarkation and from the port of embarkation to the port of entry in the United States. Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation is made for the purpose of this section, to make advances not to exceed in the aggregate \$2,500,000 to the Commission which shall be employed by the Commission to finance the transportation and necessary incidents thereto of persons who are eligible for emigration to the United States under this section from their place of residence in Germany or Austria to the port of entry in the United States. No interest shall be charged on advances made by the Treasury to the Recon-

struction Finance Corporation for this purpose, and the Reconstruction Finance Corporation shall be repaid without interest for advances made by it hereunder from funds made available for the purposes of this section. (June 25, 1948, ch. 647, § 12, 62 Stat. 1013; June 16, 1950, ch. 262, § 10, 64 Stat. 226; June 27, 1952, ch. 477, title IV, § 402 (h) (6), 66 Stat. 278.)

REFERENCES IN TEXT

Section 12 of the Act of May 26, 1924, as amended, referred to in subsec. (c) and formerly classified to section 212 of Title 8, Aliens and Nationality, was repealed by act June 27, 1952, ch. 477, title IV, § 403(a) (23), 66 Stat. 279 and is now covered by subchapter II of chapter 12 of Title 8.

AMENDMENTS

1952—Subsecs. (a), (b), and (c) amended by act June 27, 1952, to change references to refer to the new Immigration and Nationality Act.

1950—Act June 16, 1950, amended section generally in admit persons of German ethnic origin.

ABOLITION OF RECONSTRUCTION FINANCE CORPORATION

Section 6 (a) of 1957 Reorg. Plan. No. 1, eff. June 30, 1957, 22 F. R. 4633, 71 Stat. —, set out as a note under section 601 of Title 15, Commerce and Trade, abolished the Reconstruction Finance Corporation.

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated August 31, 1952 under the provisions of former section 1947 of this Appendix. Provision was made for the Liquidation of the affairs of said Commission in Ex. Ord. No. 10382, Aug. 11, 1952, 17 F. R. 7323, set out as a note under former section 1947 of this Appendix.

§ 1962. Persons excluded; security oath.

No visas shall be issued under the provisions of this Act, as amended [sections 1951—1956 and 1958—1965 of this Appendix], to any person who is or has been a member of the Communist Party, or to any person who adheres to, advocates, or follows, or who has adhered to, advocated, or followed, the principles of any political or economic system or philosophy directed toward the destruction of free competitive enterprise and the revolutionary overthrow of representative governments, or to any person who is or has been a member of any organization which has been designated by the Attorney General of the United States as a Communist organization, or to any person who is or has been a member of or participated in any movement which is or has been hostile to the United States or the form of government of the United States, or to any person who advocated or assisted in the persecution of any person because of race, religion, or National origin, or to any person who has voluntarily borne arms against the United States during World War II. Upon arrival at the port of entry in the United States, every person eighteen years of age or older authorized to be admitted under this Act [said sections], shall take and subscribe an oath or affirmation that he is not and has never been a member of any organization or movement named in this section, and shall be liable to prosecution for perjury if such oath or affirmation is willfully false. If any person not entitled to a visa under this section shall nevertheless gain admission to this country, in addition to the penalty above-mentioned, such persons shall, irrespective of the date of his entry, be deported in the manner provided by sections 19 and 20 of the Immigration Act of February 5, 1917, as amended. (June 25, 1948,

ch. 647, § 13, 62 Stat. 1014; June 16, 1950, ch. 262, § 11, 64 Stat. 227.)

REFERENCES IN TEXT

Sections 19 and 20 of the Immigration Act of February 5, 1917, as amended, referred to in the text and formerly classified to sections 155 and 156 of Title 8, Aliens and Nationality, were repealed by act June 27, 1952, ch. 477, title IV, § 403 (a) (13), 66 Stat. 279 and are now covered by subchapter II of chapter 12 of Title 8.

AMENDMENTS

1950—Act June 16, 1950, amended section to extend the bar to aliens who have adhered to, advocated or followed the principles of any political or economic system or philosophy directed toward the destruction of free competitive enterprise and the revolutionary overthrow of representative government; to aliens who have voluntarily borne arms against the United States; and to provide for the taking of the security oath.

§ 1962a. Advances by Reconstruction Finance Corporation; maturity; interest.

Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation is made for the purposes of this section, to make advances not to exceed in the aggregate \$5,000,000, to the Commission which shall be employed by the Commission for loans through public or private agencies to persons who provide assurances, or to public or private agencies to finance the reception and transportation of eligible displaced persons and eligible displaced orphans and persons authorized to be admitted under section 12 of this Act, as amended [section 1961 of this Appendix], from ports of entry within the United States or its Territories or possessions. Such loans, which shall mature not later than June 30, 1953, shall be made under rules and regulations approved by the President. No interest shall be charged on advances made by the Treasury Department to the Reconstruction Finance Corporation for the purposes of this section, and the Reconstruction Finance Corporation shall be repaid without interest for advances made by it hereunder from funds made available for the purposes of this section. (June 25, 1958, ch. 647, § 14, as added June 16, 1950, ch. 262, § 12, 64 Stat. 227.)

ABOLITION OF RECONSTRUCTION FINANCE CORPORATION

Section 6 (a) of 1957 Reorg. Plan No. 1, eff. June 30, 1957, 22 F. R. 4633, 71 Stat. —, set out as a note under section 601 of Title 15, Commerce and Trade, abolished the Reconstruction Finance Corporation.

TERMINATION OF DISPLACED PERSONS COMMISSION

The Displaced Persons Commission terminated August 31, 1952 under the provisions of former section 1947 of this Appendix. Provision was made for the liquidation of the affairs of said Commission in Ex. Ord. No. 10382, Aug. 11, 1952, 17 F. R. 7323, set out as a note under former section 1947 of this Appendix.

§ 1963. Penalties.

Any person or persons who knowingly violate or conspire to violate any provision of this Act [sections 1951—1956 and 1958—1965 of this Appendix], except section 9 [section 1958 of this Appendix], shall be guilty of a felony, and upon conviction thereof shall be fined not less than \$500 nor more than \$10,000, or shall be imprisoned not less than two or more than ten years, or both. (June 25, 1948, ch. 647, § 15, formerly § 14, 62 Stat. 1014, renumbered June 16, 1950, ch. 262, § 12, 64 Stat. 227.)

§ 1964. Conferences respecting problems of persons of German ethnic origin; appropriations.

Representatives of the Government of the United States are authorized to participate in a conference between affected nations for the purpose of studying and making recommendations providing for a satisfactory solution of the problems of persons of German ethnic origin who were expelled from the countries of their residence into Germany and Austria and are presently residing in those countries. The appropriation of such sums as may be necessary to carry out this section is authorized. (June 25, 1948, ch. 647, § 16, as added June 16, 1950, ch. 262, § 13, 64 Stat. 228.)

§ 1965. Transportation by American flag ships or planes.

All transportation by ships or planes of aliens under this Act [sections 1951—1956 and 1958—1965 of this Appendix], to the United States, the cost of which is defrayed in whole or in part by the Government of the United States, shall be by ships or planes registered under the United States flag, or by ships owned by the United States. (June 25, 1948, ch. 647, § 17, as added June 16, 1950, ch. 262, § 14, 64 Stat. 228.)

ADMISSION OF REFUGEES AND ORPHANS

ACT AUG. 7, 1953, CH. 336, 67 STAT. 400

§ 1971. Definitions.

(a) "Refugee" means any person in a country or area which is neither Communist nor Communist-dominated, who because of persecution, fear of persecution, natural calamity or military operations is out of his usual place of abode and unable to return thereto, who has not been firmly resettled, and who is in urgent need of assistance for the essentials of life or for transportation.

(b) "Escapee" means any refugee who, because of persecution or fear of persecution on account of race, religion, or political opinion, fled from the Union of Soviet Socialist Republics or other Communist, Communist-dominated or Communist-occupied area of Europe including those parts of Germany under military occupation by the Union of Soviet Socialist Republics, and who cannot return thereto because of fear of persecution on account of race, religion or political opinion.

(c) "German expellee" means any refugee of German ethnic origin residing in the area of the German Federal Republic, western sector of Berlin, or in Austria who was born in and was forcibly removed from or forced to flee from Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, Union of Soviet Socialist Republics, Yugoslavia, or areas provisionally under the administration or control or domination of any such countries, except the Soviet zone of military occupation of Germany.

(d) "Administrator" means the administrator of the Bureau of Security and Consular Affairs established in the Department of State pursuant to subsection (b) of section 104 of the Immigration and Nationality Act [subsection (b) of section 1104 of Title 8]. (Aug. 7, 1953, ch. 336, § 2, 67 Stat. 400.)

SHORT TITLE

Section 1 of act Aug. 7, 1953, provided that act Aug. 7, 1953, which enacted sections 1971—1971q of this Appendix, should be popularly known as the "Refugee Relief Act of 1953".

AUTHORIZATION OF APPROPRIATIONS

Section 18 of act Aug. 7, 1953, provided: "There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act [sections 1971—1971q of this Appendix]".

§ 1971a. Special nonquota immigrant visas for refugees; number.

There are authorized to be issued two hundred five thousand special nonquota immigrant visas to aliens, specified in section 4 of this Act [section 1971b of this Appendix], seeking to enter the United States as immigrants and to their spouses and their unmarried sons or daughters under twenty-one years of age, including stepsons or stepdaughters and sons or daughters adopted prior to July 1, 1953, if accompanying them. (Aug. 7, 1953, ch. 336, § 3, 67 Stat. 401.)

ALLOTMENT AND ISSUANCE OF NONQUOTA IMMIGRANT VISAS
Section 15 of Pub. L. 85-316, Sept. 11, 1957, 71 Stat. 643, provided that:

"(a) Notwithstanding the provisions of section 20 of the Refugee Relief Act of 1953, as amended (67 Stat. 400; 68 Stat. 1044) [section 1971q of this Appendix], special nonquota immigrant visas authorized to be issued under section 8 of that Act [this section] which remained unissued on January 1, 1957, shall be allotted, and may be issued by consular officers as defined in the Immigration and Nationality Act [chapter 12 of Title 8], in the following manner:

"(1) Not to exceed two thousand five hundred visas to aliens described in paragraph (1) of section 4 (a) of the Refugee Relief Act, as amended [section 1971b (a) (1) of this Appendix];

"(2) Not to exceed one thousand six hundred visas to aliens described in paragraphs (9) or (10) of such section 4 (a) [section 1971b (a) (9), (10) of this Appendix];

"(3) All the rest and remainder of said visas to aliens who are refugee-escapees as defined in subsection (c).

"(b) The allotments provided in subsection (a) of this section shall be available for the issuance of immigrant visas to the spouses and unmarried sons or daughters under twenty-one years of age, including stepsons or stepdaughters and sons or daughters adopted prior to July 1, 1957, of persons referred to in subsection (a) of this section if accompanying them; *Provided*, That each such alien, as described in this section, is found to be eligible to be issued an immigrant visa and to be admitted to the United States under the provisions of the Immigration and Nationality Act [chapter 12 of Title 8]; *Provided further*, That all special nonquota immigrant visas authorized to be issued under this section shall be issued in accordance with the provisions of section 221 of the Immigration and Nationality Act [section 1201 of Title 8]; *Provided further*, That a quota number is not available to such alien at the time of his application for a visa.

"(c) (1) For purposes of subsection (a), the term 'refugee-escapee' means any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee (A) from any Communist, Communist-dominated, or Communist-occupied area, or (B) from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

"(2) For the purposes of this section, the term 'general area of the Middle East' means the area between and including (1) Libya on the west, (2) Turkey on the north, (3) Pakistan on the east, and (4) Saudi Arabia and Ethiopia on the south.

"(d) Except as otherwise provided in subsection (a) of this section, nothing in this section shall be held to extend the Refugee Relief Act of 1953, as amended (67

Stat. 400; 68 Stat. 1044) [sections 1971—1971q of this Appendix], and nothing in this section shall be held to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of that Act [this section]."

Definitions contained in subsecs. (a) and (b) of section 1101 of Title 8, Aliens and Nationality, as applicable to section 15 of Pub. L. 85-316, see note set out under section 1205 of Title 8.

§ 1971b. Same; allocation among classes; availability to dependents; bilateral availability.

(a) Special nonquota immigrant visas authorized to be issued under section 3 of this Act [section 1971a of this Appendix] shall be allotted as follows:

(1) Not to exceed fifty-five thousand visas to German expellees residing in the area of the German Federal Republic or in the western sectors of Berlin or in Austria: *Provided*, That the visas issued under this paragraph shall be issued only in the German Federal Republic or in the western sector of Berlin or in Austria.

(2) Not to exceed thirty-five thousand visas to escapees residing in the area of the German Federal Republic or the western sectors of Berlin or in Austria: *Provided*, That the visas issued under this paragraph shall be issued only in the German Federal Republic or in the western sector of Berlin or in Austria.

(3) Not to exceed ten thousand visas to escapees residing within the European continental limits of the member nations of the North Atlantic Treaty Organization or in Turkey, Sweden, Iran or in the Free Territory of Trieste and who are not nationals of the area in which they reside: *Provided*, That such visas shall be issued only in the area or areas mentioned in this paragraph.

(4) Not to exceed two thousand visas to refugees who (a) during World War II were members of the armed forces of the Republic of Poland, (b) were honorably discharged from such forces, (c) reside on the date of the enactment of this Act [August 7, 1953] in the British Isles, and (d) have not acquired British citizenship.

(5) Not to exceed forty-five thousand visas to refugees of Italian ethnic origin, residing on the date of the enactment of this Act [August 7, 1953] in Italy or in the Free Territory of Trieste; *Provided*, That such visas shall be issued only in the area or areas mentioned in this paragraph.

(6) Not to exceed fifteen thousand visas to persons of Italian ethnic origin, residing on the date of the enactment of this Act [August 7, 1953] in Italy or in the Free Territory of Trieste, who qualify under any of the preferences specified in paragraph (2), (3) or (4) of section 203(a) of the Immigration and Nationality Act [paragraph (2), (3) or (4) of section 1153(a) of Title 8]; *Provided*, That such visas shall be issued only in Italy or in the Free Territory of Trieste.

(7) Not to exceed fifteen thousand visas to refugees of Greek ethnic origin residing on the date of the enactment of this Act [August 7, 1953] in Greece: *Provided*, That such visas shall be issued only in Greece.

(8) Not to exceed two thousand visas to persons of Greek ethnic origin, residing on the date of the enactment of this Act [August 7, 1953] in Greece, who qualify under any of the preferences specified

in paragraph (2), (3) or (4) of section 203(a) of the Immigration and Nationality Act [paragraph (2), (3) or (4) of section 1153(a) of Title 8]: *Provided*, That such visas shall be issued only in Greece.

(9) Not to exceed fifteen thousand visas to refugees of Dutch ethnic origin residing on the date of the enactment of this Act [August 7, 1953] in continental Netherlands: *Provided*, That such visas shall be issued only in continental Netherlands.

(10) Not to exceed two thousand visas to persons of Dutch ethnic origin, residing on the date of the enactment of this Act [August 7, 1953] in continental Netherlands, who qualify under any of the preferences specified in paragraph (2), (3) or (4) of section 203(a) of the Immigration and Nationality Act [paragraph (2), (3) or (4) of section 1153(a) of Title 8]: *Provided*, That such visas shall be issued only in continental Netherlands.

(11) Not to exceed two thousand visas to refugees, residing within the district of an American consular office in the Far East: *Provided*, That such visas shall be issued only in said consular office district and only to refugees who are not indigenous to the area described in this paragraph.

(12) Not to exceed three thousand visas to refugees, residing within the district of an American consular office in the Far East: *Provided*, That such visas shall be issued only in said consular office district and only to refugees who are indigenous to the area described in this paragraph.

(13) Not to exceed two thousand visas to refugees of Chinese ethnic origin whose passports for travel to the United States are endorsed by the Chinese National Government or its authorized representatives.

(14) Not to exceed two thousand visas to refugees who on the date of the enactment of this Act [August 7, 1953] are eligible to receive assistance from the United Nations Relief and Works Agency for Palestine Refugees in the Near East: *Provided*, That such visas shall be issued only in the area described in this paragraph.

(b) The allotments provided in subsection (a) of this section shall be available for the issuance of immigrant visas to the spouses and unmarried sons or daughters under twenty-one years of age, including stepsons or stepdaughters and sons or daughters adopted prior to July 1, 1953, referred to in section 3 of this Act [section 1971a of this Appendix], of persons referred to in subsection (a) of this section.

(c) Any allotments of visas provided in paragraphs (5) and (6), paragraphs (7) and (8), and paragraphs (9) and (10) of subsection (a) of this section, shall be available bilaterally within each of the three ethnic groups therein defined. (Aug. 7, 1953, ch. 336, § 4, 67 Stat. 401; Aug. 31, 1954, ch. 1169, § 1, 68 Stat. 1044.)

AMENDMENTS

1954—Subsec. (c) added by act Aug. 31, 1954.

§ 1971c. Special nonquota immigrant visas for orphans; number; definition; assurances of adoption.

(a) Not to exceed four thousand special nonquota immigrants visas may be issued to eligible orphans

as defined in this Act [sections 1971—1971q of this Appendix] who are under ten years of age at the time the visa is issued: *Provided*, That not more than two such special nonquota immigrant visas may be issued to eligible orphans adopted or to be adopted by any one United States citizen and spouse, unless necessary to prevent the separation of brothers or sisters.

(b) When used in this Act [sections 1971—1971q of this Appendix] the term "eligible orphan" shall mean an alien child (1) who is an orphan because of the death or disappearance of both parents, or because of abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such orphan and has in writing irrevocably released him for emigration and adoption; (2) (a) who has been lawfully adopted abroad by a United States citizen and spouse, or (b) for whom assurances, satisfactory to the consular officer to whom a visa application on behalf of the orphan is made, have been given by a United States citizen and spouse that if the orphan is admitted into the United States they will adopt him in the United States and will care for him properly; and (3) who is ineligible for admission into the United States solely because the nonpreference portion of the quota to which he would otherwise be chargeable is oversubscribed by applicants registered on the consular waiting list at the time his visa application is made: *Provided*, That no natural parent of any eligible orphan who shall be admitted into the United States pursuant to this Act [sections 1971—1971q of this Appendix] shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act [chapter 12 of Title 8].

(c) The assurances required in this section shall be in lieu of the assurances required in section 7 of this Act [section 1971e of this Appendix], and the provisions of section 7 (d) (2) [section 1971e (d) (2) of this Appendix] shall not apply to eligible orphans as defined in this section (Aug. 7, 1953, ch. 336, § 5, 67 Stat. 402; Aug. 31, 1954, ch. 1169, § 2, 68 Stat. 1044.)

AMENDMENTS

1954—Subsec. (c) amended by act Aug. 31, 1954, to eliminate the necessity of orphans having a certificate of readmission from the country of immigration.

"ELIGIBLE ORPHAN"; DEFINITION

Definition of "eligible orphan" for purpose of admission of orphans adopted or to be adopted by United States citizens serving abroad, see section 1975a of this Appendix.

§ 1971d. Adjustment of immigration status of temporary residents; exceptions; maximum number.

Any alien who establishes that prior to July 1, 1953, he lawfully entered the United States as a bona fide nonimmigrant and that he is unable to return to the country of his birth, or nationality, or last residence because of persecution or fear of persecution on account of race, religion, or political opinion or who was brought to the United States from other American republics for internment, may, not later than June 30, 1955, apply to the Attorney General of the United States for an adjustment of his immi-

gration status. If the Attorney General shall, upon consideration of all the facts and circumstances of the case, determine that such alien has been of good moral character for the preceding five years and that the alien was physically present in the United States on the date of the enactment of this Act [August 7, 1953] and is otherwise qualified under all other provisions of the Immigration and Nationality Act [chapter 12 of Title 8] except that the quota to which he is chargeable is oversubscribed, the Attorney General shall report to the Congress all the pertinent facts in the case. If, during the session of the Congress in which a case is reported or prior to the end of the session of the Congress next following the session in which a case is reported, the Congress passes a concurrent resolution stating in substance that it approves the granting of the status of an alien lawfully admitted for permanent residence to such alien, the Attorney General is authorized, upon payment of the required visa fee, which shall be deposited in the Treasury of the United States to the account of miscellaneous receipts, to record the alien's lawful admission for permanent residence as of the date of the passage of such concurrent resolution. If, within the above specified time, the Congress does not pass such a concurrent resolution, or, if either the Senate or the House of Representatives passes a resolution stating in substance that it does not approve the granting of the status of an alien lawfully admitted for permanent residence, the Attorney General shall thereupon deport such alien in the manner provided by law: *Provided*, That the provisions of this section shall not be applicable to any aliens admitted into the United States under the provisions of Public Law 584, Seventy-ninth Congress, second session (60 Stat. 754) [section 1641 of this Appendix], Public Law 402, Eightieth Congress, second session (62 Stat. 6) [chapter 18 of Title 22]: *Provided further*, That the number of aliens who shall be granted the status of aliens lawfully admitted for permanent residence pursuant to this section shall not exceed five thousand. (Aug. 7, 1953, ch. 336, § 6, 67 Stat. 403; Aug. 31, 1954, ch. 1169, § 3, 68 Stat. 1044.)

AMENDMENTS

1954—Act Aug. 31, 1954, amended section to allow both aliens who have left a country due to persecution and those who cannot return due to persecution to apply for an adjustment of status.

§ 1971e. Assurances of citizen-sponsors; deportation for inadmissibility; considerations and requirements.

(a) Except as otherwise herein provided, no visa shall be issued to any alien under this Act [sections 1971—1971q of this Appendix] unless an assurance, in accordance with regulations promulgated pursuant to this Act [said sections], shall first have been given by a citizen or citizens of the United States that such alien, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such alien and the members of such alien's family who shall accompany such alien and who propose to live with such alien will not become public charges and will have housing without displacing some other person from such housing. The spouse and unmarried dependent sons and daughters under

twenty-one years of age, including stepsons and stepdaughters and sons or daughters adopted prior to July 1, 1953, of such alien, shall not be required to have such assurances made in their behalf. The assurances shall be submitted to the Administrator and it shall be the duty of the Administrator to verify the authenticity and bona fides of such assurances and such assurances shall be subject to final acceptance and approval by consular and immigration officers. Blanket assurances, or assurances not submitted by a responsible individual citizen or citizens, shall not be considered as satisfying the requirements of this section. The assurances for employment and housing shall be indexed and filed in such manner so as to show the specific address or addresses in the United States in which both the employment and housing are available, the type of employment and housing which are available, and the conditions and terms of the employment. Each assurance shall be a personal obligation of the individual citizen or citizens giving or submitting such assurance. This subsection shall have no applicability to the alien eligible under paragraph (6), (8) or (10) of section 4 (a) of this Act [paragraph (6), (8) or (10) of section 1971b (a) of this Appendix], if such alien provides satisfactory evidence that he will not become a public charge. No visa shall be issued under the allotment of forty-five thousand visas heretofore made by paragraph (5) of subsection 4 (a) of this Act [section 1971b (a) (5) of this Appendix] to refugees in Italy, or under the allotment of fifteen thousand visas heretofore made by paragraph (7) of subsection 4 (a) of this Act [section 1971b (a) (7) of this Appendix] to refugees in Greece, or under the allotment of fifteen thousand visas heretofore made by paragraph (9) of subsection 4 (a) of this Act [section 1971a (9) of this Appendix] to refugees in the Netherlands, to an alien who qualifies under the preferences specified in paragraph (2), (3), or (4) of section 203 (a) of the Immigration and Nationality Act [section 1153 (a) (2)—(4) of Title 8], until satisfactory evidence is presented to the responsible consular officer to establish that the alien in question will have suitable employment and housing, without displacing any other person therefrom, after arrival in the United States. Verification of such available employment and housing shall be made in accordance with such regulations as the Administrator may, in his discretion, prescribe for the administration of the Act [sections 1971—1971q of this Appendix], including job order clearances by the United States Employment Service and its affiliated State employment services, and a certification by local housing authorities wherever they exist and are authorized and prepared to make such certifications.

(b) Any alien admitted under this Act [section 1971—1971q of this Appendix] and subsequently determined to have been inadmissible under the provisions of this Act [said sections] at the time of entry shall, irrespective of the date of his entry, be taken into custody and deported in the manner provided by sections 242 and 243 of the Immigration and Nationality Act [sections 1252 and 1253 of Title 8].

(c) Assistance rendered an alien in connection with his transportation to and resettlement in the

United States shall not be regarded as a cause for excludability as an alien likely to become a public charge. No alien with respect to whom assurances have been furnished as provided in this section shall be deemed to be a pauper under paragraph (8) of section 212 (a) of the Immigration and Nationality Act [paragraph (8) of section 1182 (a) of Title 8].

(d) No alien shall be issued a visa under this Act [sections 1971—1971q of this Appendix] or be admitted into the United States unless he shall present to the consular officer at the time of making application for a visa or to the immigration officer at the time of application for admission (1) a valid unexpired passport or other suitable travel document, or document of identity or nationality, or other documentary evidence that he will be assured of readmission to the country of his nationality, foreign residence or in which he obtains a visa under this Act [said sections] and (2) a certificate of readmission guaranteeing his readmission to the country in which he obtains a visa under this Act [said sections] if it is subsequently found that he obtained a visa under this Act [said sections] by fraud or by misrepresenting a material fact. (Aug. 7, 1953, ch. 336, § 7, 67 Stat. 403; Aug. 31, 1954, ch. 1169, § 4, 68 Stat. 1045.)

AMENDMENTS

1954—Subsec. (a) amended by act Aug. 31, 1954, which added last sentence.

§ 1971f. Intergovernmental arrangements for assistance to immigrants; use of American ships and airplanes in certain cases.

The Secretary of State may, for the purposes of this Act [sections 1971—1971q of this Appendix], make such arrangements with foreign governments and with the Intergovernmental Committee for European Migration as are necessary and appropriate for the purpose of financing the overseas transportation of persons who may be issued visas under this Act [said sections], such arrangements to be mutually beneficial to the economies of the United States and the countries concerned, as well as to such persons. Such arrangements, where appropriate, may seek to enable immigrants under this Act [said sections] to transfer into dollar currency personal assets necessary for defraying the cost of transportation and for use in the United States. Arrangements between the United States and the other governments concerned and the Intergovernmental Committee for European Migration should also provide for such cooperation and assistance as may be required in the administration of the program authorized under this Act [said sections] in the territory of the intending immigrant's residence. All transportation by ships or airplanes of aliens under this Act [said sections] to the United States, the cost of which is defrayed in whole or in part by the Government of the United States, shall be by ships or airplanes registered under the United States flag, if available. (Aug. 7, 1953, ch. 336, § 8, 67 Stat. 404.)

§ 1971g. Determination of eligibility on nondiscriminatory basis.

Within the categories established in section 4 of this Act [section 1971b of this Appendix] the determination of the eligibility of persons to receive

visas and of the admissibility of such persons into the United States under this Act [sections 1971—1971q of this Appendix] shall be made without discrimination in favor of or against a race, religion, or the national origin of such persons. (Aug. 7, 1953, ch. 336, § 9, 67 Stat. 405.)

§ 1971h. Exemption from visa fees.

Persons receiving visas under this Act [sections 1971—1971q of this Appendix] shall be exempt from paying the fees prescribed in paragraphs (1) and (2) of section 281 of the Immigration and Nationality Act [paragraphs (1) and (2) of section 1351 of Title 8]. (Aug. 7, 1953, ch. 336, § 10, 67 Stat. 405.)

§ 1971i. Safeguards in regard to security-screening.

(a) Investigation of visa applicants.

No alien shall be issued a visa under this Act [sections 1971—1971q of this Appendix] or be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such investigative agency or agencies of the Government of the United States as the President shall designate, regarding such person's character, reputation, mental and physical health, history and eligibility under this Act [said sections], and such investigations in each case shall be conducted in a manner and in such time as the investigative agency or agencies shall determine to be necessary.

(b) Knowledge or belief of consular or immigration officer.

No person shall be issued a visa or be admitted into the United States under this Act [sections 1971—1971q of this Appendix] if the consular officer or the immigration officer knows or has reason to believe that such person is ineligible for a visa or is subject to exclusion from the United States under any provision of the immigration laws or is not eligible under the terms of this Act [said sections].

(c) Necessity for affirmative evidence; examination at port of entry.

No person shall be issued a visa or be admitted into the United States under this Act [sections 1971—1971q of this Appendix] unless the consular officer and the immigration officer, after an inspection and examination of such person abroad, are entirely satisfied upon the basis of affirmative evidence adduced by the applicant that the applicant has established his eligibility for a visa and his admissibility into the United States under this Act [said sections] and under the immigration laws and regulations; *Provided*, That no person to whom a visa shall be issued shall be exempt from inspection and examination at a port of entry.

(d) Necessity for availability of historical background; waiver.

No person shall be issued a visa under this Act [sections 1971—1971q of this Appendix] or be admitted into the United States unless complete information shall be available regarding the history of such person covering a period of at least two years immediately preceding his application for a visa: *Provided*, That this provision may be waived on the recommendation of the Secretaries of State and Defense when determined by them to be in the national interest.

(e) Exclusion for material misrepresentation.

Any person who shall make a material misrepresentation to any agency of the Government entrusted directly or indirectly with the administration, investigation, enforcement, or any other function relating to the implementation of this Act [sections 1971—1971q of this Appendix], for the purpose of gaining admission into the United States as an alien eligible hereunder, shall be excluded from admission into the United States under section 212 (a) (19) of the Immigration and Nationality Act [section 1182 (a) (19) of Title 8]. (Aug. 7, 1953, ch. 336, § 11, 67 Stat. 405.)

Ex. ORD. NO. 10487. ADMINISTRATION OF REFUGEE RELIEF ACT OF 1953

Ex. Ord. No. 10487, Sept. 18, 1953, 18 F. R. 5635, provided:

SECTION 1. The Department of State is designated as the agency of the Government of the United States which shall, subject to the provisions of section 2 hereof, make or prepare the thorough investigations and written reports required by section 11 (a) [subsec. (a) of this section] of the said Refugee Relief Act of 1953, regarding the character, reputation, mental and physical health, history, and eligibility under the said act, of persons seeking admission into the United States under the act.

SEC. 2. The Department of the Army and such other agencies of the Government as the Department of State may request shall, in accordance with arrangements agreed upon between the Department of State and any such agency, furnish the Department of State such assistance as it may need in carrying out its responsibilities under section 1 of this order.

SEC. 3. The funds appropriated under the heading "Emergency Migration" appearing in Chapter VII of the Supplemental Appropriation Act, 1954 (Public Law 207, 83d Congress, approved August 7, 1953), are hereby transferred to the Department of State. The Secretary of State may allocate to agencies other than the Department of State such portions of the transferred funds as he shall determine.

SEC. 4. The Director of the Bureau of the Budget is authorized and empowered to exercise the authority conferred upon the President by the paragraph appearing under the aforesaid heading "Emergency Migration" to transfer not to exceed sixty-five passenger motor vehicles, without reimbursement, to carry out the migration program authorized by the said Refugee Relief Act of 1953 [sections 1971—1971g of this Appendix].

SEC. 5. The Secretary of State shall promulgate the regulations provided for in section 7 (a) of the said Refugee Relief Act of 1953 [section 1971e (a) of this Appendix].

SEC. 6. The Secretary of the Treasury shall promulgate the rules and regulations provided for in section 16 of the said Refugee Relief Act of 1953 [section 1971n of this Appendix].

§ 1971j. Priorities in consideration of visa applications.

Priorities in the consideration of visa applications under this Act [sections 1971—1971q of this Appendix], except in the case of applications filed under paragraph (6), (8) or (10) of section 4 (a) [paragraphs (6), (8) or (10) of section 1971b (a) of this Appendix], without priority in time of issuance of visas as between such priorities or as between priority and nonpriority cases under this Act [sections 1971—1971q of this Appendix] shall be given to—

- (1) Persons whose services or skills are needed in the United States, if such need has been certified to the Administrator, at his request, by the United States Employment Service and who are

to be employed in a capacity calling for such services or such skills; and

- (2) Persons who are (A) the parents of citizens of the United States, such citizens being at least twenty-one years of age, or (B) spouses or unmarried sons or daughters under twenty-one years of age, including stepsons or stepdaughters and sons or daughters adopted prior to July 1, 1953, of aliens lawfully admitted for permanent residence, or (C) brothers, sisters, sons or daughters of citizens of the United States.

(Aug. 7, 1953, ch. 336, § 12, 67 Stat. 405.)

§ 1971k. Same; persons eligible under Displaced Persons Act of 1948.

No priority in the consideration of visa applications under this Act [sections 1971—1971q of this Appendix] shall be given to persons who were determined to be eligible or preliminarily eligible under the provisions of section (2) (c) of Public Law 774, Eightieth Congress, as amended [section 1951 (c) of this Appendix], solely because such persons were determined to be so eligible or preliminarily eligible. (Aug. 7, 1953, ch. 336, § 13, 67 Stat. 406.)

§ 1971l. Ineligibility of certain persons; oath as prerequisite to visa; deportation for wrongful entry; offenses and penalties.

(a) No visa shall be issued under this Act [sections 1971—1971q of this Appendix] to any person who personally advocated or assisted in the persecution of any person or group of persons because of race, religion, or national origin.

(b) Before being issued a visa every alien eighteen years of age or older, authorized to be admitted under this Act [sections 1971—1971q of this Appendix], shall take and subscribe an oath or affirmation that he is not and never has been a person specified in subparagraph (A), (B), (C), (D), (E), (F), (G), or (H), of section 212 (a) (28) of the Immigration and Nationality Act [subparagraphs (A), (B), (C), (D), (E), (F), (G), or (H) of section 1182 (a) (28) of Title 8], except as provided in subparagraph (I) of such section, and shall be liable to prosecution for perjury if such oath or affirmation is willfully false. If any alien not entitled to be issued a visa under this Act [sections 1971—1971q of this Appendix] and not entitled to be admitted into the United States shall nevertheless gain admission, such alien shall, regardless of the date of his entry, be taken into custody and deported in the manner provided in sections 242 and 243 of the Immigration and Nationality Act [sections 1252 and 1253 of Title 8].

(c) Any person or persons who shall knowingly violate, conspire to violate, induce or attempt to induce any person to violate any provision of this Act [sections 1971—1971q of this Appendix] shall be guilty of a felony, and upon conviction thereof shall be fined not more than \$10,000 or shall be imprisoned not more than ten years, or both. (Aug. 7, 1953, ch. 336, § 14, 67 Stat. 406.)

§ 1971m. Applicability of Immigration and Nationality Act.

Except as otherwise expressly provided by this Act [sections 1971—1971q of this Appendix] all of the provisions of the Immigration and Nationality

Act [chapter 12 of Title 8] shall be applicable under this Act [sections 1971—1971q of this Appendix]. (Aug. 7, 1953, ch. 336, § 15, 67 Stat. 406.)

§ 1971n. Loans to pay transportation; maturity date; interest; agencies in default in payment of other loans.

Notwithstanding the provisions of any other law, the Secretary of the Treasury is authorized and directed to make loans not to exceed \$5,000,000 in the aggregate, to public or private agencies of the United States for the purpose of financing the transportation from ports of entry within the United States to the places of their resettlement, of persons receiving immigrant visas under this Act [sections 1971—1971q of this Appendix], and who lack resources to finance the expenses involved. Such loans, which shall mature not later than June 30, 1963, shall be made under rules and regulations promulgated pursuant to this Act [said sections]: *Provided*, That such loans shall bear interest at a rate of 3 per centum per annum on the unpaid balance from their maturity date until final payment. No public or private agency shall be eligible to receive a loan under the provisions of this Act [said sections] while such agency is in default in the payment of any loan made to it pursuant to the provisions of the Displaced Persons Act of 1948, as amended [sections 1951—1956 and 1958—1965 of this Appendix]. (Aug. 7, 1953, ch. 336, § 16, 67 Stat. 406.)

§ 1971o. Eligible aliens as nonquota immigrants.

Any alien granted a visa under this Act [sections 1971—1971q of this Appendix] shall be deemed a nonquota immigrant for the purposes of the Immigration and Nationality Act [chapter 12 of Title 8]. (Aug. 7, 1953, ch. 336, § 17, 67 Stat. 407.)

§ 1971p. Semi-annual reports to President and Congress.

The Administrator shall report to the President and the Congress on the operation of the program established under this Act [sections 1971—1971q of this Appendix] on or about January 15 and June 15 of each year and shall submit a final report not later than June 15, 1957. Such reports shall include full and complete details regarding the administration of the Act [said sections] and the administration of the funds provided for in section 16 of this Act [section 1971n of this Appendix]. (Aug. 7, 1953, ch. 336, § 19, 67 Stat. 407.)

§ 1971q. Termination date.

No immigrant visa shall be issued under this Act [sections 1971—1971q of this Appendix] after December 31, 1956. (Aug. 7, 1953, ch. 336, § 20, 67 Stat. 407.)

ADMISSION OF ORPHANS ADOPTED BY CITIZENS SERVING ABROAD

JOINT RES. JULY 29, 1953, CH. 268, 67 STAT. 229.

§ 1975. Special nonquota immigrant visas for certain orphans; number.

Not to exceed five hundred special nonquota immigrant visas may be issued, subject to all provi-

sions of the Immigration and Nationality Act [chapter 12 of Title 8], to eligible orphans as defined in this Act [sections 1975—1975c of this Appendix] who are under ten years of age at the time the visa application is filed and such eligible orphans may be admitted into the United States for permanent residence: *Provided*, That the issuance of visas under this Act [said sections] shall terminate not later than December 31, 1954. (July 29, 1953, ch. 268, § 1, 67 Stat. 229.)

ORPHANS UNDER REFUGEE RELIEF ACT OF 1953

Admission of orphans under Refugee Relief Act of 1953, adopted or to be adopted by United States citizens, see section 1971c of this Appendix.

§ 1975a. Definition.

When used in this Act [sections 1975—1975c of this Appendix] the term "eligible orphan" shall mean an alien child (1) who has suffered the death or disappearance of, or abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such child and has in writing irrevocably released him for emigration and adoption; (2) (a) who has been lawfully adopted abroad by a United States citizen and spouse while said citizen is or was serving abroad in the United States Armed Forces, or is or was employed abroad by the United States Government, or (b) concerning whom assurances, satisfactory to the consular officer to whom a visa application on behalf of such child is made, have been given by a United States citizen and spouse while said citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, that if such child is admitted into the United States such citizen and spouse will legally adopt him in the United States and will care for him properly; and (3) who is ineligible for admission into the United States solely because the nonpreference portion of the quota to which he would otherwise be chargeable is oversubscribed by applicants registered on the consular waiting list at the time his visa application is made. (July 29, 1953, ch. 268, § 2, 67 Stat. 229.)

"ELIGIBLE ORPHAN": DEFINITION

Definition of "eligible orphan" under Refugee Relief Act of 1953 providing for admission of orphans adopted or to be adopted by United States citizens, see section 1971c (b) of this Appendix.

§ 1975b. Rights of natural parents under Immigration and Nationality Act.

No natural parent of any eligible orphan who shall be admitted into the United States pursuant to this Act [sections 1975—1975c of this Appendix] shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act [chapter 12 of Title 8]. (July 29, 1953, ch. 268, § 3, 67 Stat. 230.)

§ 1975c. Eligible orphans as nonquota immigrants.

Any eligible orphan granted a visa under this Act [sections 1975—1975c of this Appendix] shall be deemed a nonquota immigrant for the purposes of the Immigration and Nationality Act [chapter 12 of Title 8]. (July 29, 1953, ch. 268, § 4, 67 Stat. 230.)